



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager (860)441-6630

Mayor Harry A. Watson, Councilors Dean Antipas, Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets

Tuesday, July 07, 2009

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

- I. ROLL CALL
- II. SALUTE TO THE FLAG
- III. RECOGNITION, AWARDS & MEMORIALS

Presentation of Plaques to Heather Bond and James Streeter

Recess for:

2009-0175 Public Hearing on an Ordinance for Thames Street Rehabilitation

Referral

PUBLIC HEARING ON AN ORDINANCE APPROPRIATING \$10,725,000 FOR THAMES STREET REHABILITATION AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000) is appropriated for design and reconstruction of Thames Street and intersections of adjoining streets from Bridge Street to Eastern Point Road and Smith Street. The project shall include clearing and excavation; reconstruction of existing pavement and base materials; installation or reconstruction of curbing, sidewalks, guardrails, handicap ramps and crosswalks; rebuilding, construction of, and repairs to retaining walls; reconstruction of storm drainage systems; relocation or reconstruction of other necessary utilities; traffic signal upgrades; installation of decorative street lighting and other streetscape improvements; and landscaping and related improvements. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design and construction costs, equipment, materials, site improvements, easement acquisition, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes, in an amount not to exceed TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes as the same become due and payable.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000). The notes shall be issued pursuant to Section 7-378 of the

General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 and, if applicable, pursuant to Section 54A(d) of the Internal Revenue Code of 1986, as amended, that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Town Manager, the Director of Finance, and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Legislative History

6/23/2009

Town Council

Scheduled for Public
Hearing

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes**2009-0172 Approval of Minutes (Town Council)****Resolution - Consent**

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of June 16, 2009 and June 23, 2009 are hereby accepted and approved.

b. Deletions from the Town Council Referral List**2009-0111 Fire Districts PILOT Program****Referral****2009-0160 Resolution Setting a Public Hearing to Consider Alterations on Sandy Hollow Road (Leuba)****Referral****2009-0164 Resolution Setting a Public Hearing Date on an Ordinance on the Thames Street Rehabilitation Project****Referral****2009-0167 Fiscal Impact Statement - Thames Street Rehabilitation Project****Referral****2009-0165 Naming of G&S Trolley Trail****Referral****2009-0171 GMEA/CILU Bargaining Agreement****Referral****2009-0173 Authorization for Surveys of Town-Owned Properties Associated with the National Battlefield Protection Grant****Referral****VII. COMMUNICATION REPORTS (Other than Committee Reports)****a. Town Councilors****b. Clerk of the Representative Town Meeting****c. Clerk of the Council****d. Town Manager****e. Town Attorney****VIII. COMMITTEE REPORTS****a. Community & Cultural Development - Chairman Brown-Tracy****b. Economic Development - Chairman Flax****c. Education/Health & Social Services - Chairman Kolnaski****d. Environment/Energy - Chairman Sheets****e. Finance - Chairman Schmidt****f. Personnel/Appointments/Rules - Chairman O'Beirne****g. Public Safety - Chairman Monteiro****h. Public Works/Recreation - Chairman Antipas****i. Committee of the Whole - Mayor Watson****IX. UNFINISHED BUSINESS****X. NEW BUSINESS****2009-0165 Naming of G&S Trolley Trail****Referral**

RESOLUTION NAMING THE G&S TROLLEY TRAIL

WHEREAS, the Town is completing a recreational-use trail that follows the right-of-way known as Lily Lane, and

WHEREAS, the opening of the new trail segment will serve as a connection with other segments of a cross-town "bikeway," and

WHEREAS, the name of Lily Lane, which has traditionally been applied to the right-of-way in which a portion of the trail is laid, does not have historical significance within the Town, and

WHEREAS, the new trail lies along a historically significant transportation corridor in which the Groton and Stonington Railway operated electric trolley service from 1904 to 1928, now therefore be it

WHEREAS, the Town's Parks and Recreation Commission voted unanimously to recommend that the trail be named "G&S Trolley Trail," now therefore be it

RESOLVED, that the Town Council hereby names this segment of the bike trail as "The G&S Trolley Trail."

Legislative History

6/11/2009	Mayor	Referred	Town Council Committee of the
6/23/2009	Town Council Committee of the Whole	Discussed	

Jerry Lokken, Manager of Recreation Services, described the location of the Lily Lane trail. Lily Lane is the name of the right-of-way, not the trail itself. This proposal is to name the bike trail that was recently upgraded the G&S Trolley Trail. Research has shown that this was the historical route of the Groton and Stonington Trolley line, which presents an opportunity for interpretive signage. This proposal was reviewed and recommended by the Parks and Recreation Commission. Councilor Sheets complimented the trail and the history provided with the referral.

6/23/2009	Town Council Committee of the Whole	Recommended for a Resolution
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2009-0171	GMEA/CILU Bargaining Agreement	Referral
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RESOLUTION APPROVING A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH THE GROTON MUNICIPAL EMPLOYEES ASSOCIATION (GMEA), UE222/CILU LOCAL 62

WHEREAS, the Town of Groton and the Groton Municipal Employees Association, UE222/CILU Local 62 engaged in discussions regarding a successor collective bargaining agreement that would be effective and/or retroactive to July 1, 2009, and

WHEREAS, two options were considered and subsequently approved by the union pending approval by the Town Council, and

WHEREAS, approval of a two-year agreement with the GMEA bargaining unit and the funds necessary to implement that agreement is recommended by the Town's negotiators, now therefore be it

RESOLVED, the Groton Town Council hereby approves the expenditure of funds necessary to implement a two-year agreement between the Town of Groton and the Groton Municipal Employees Association, UE222/CILU Local 62 for a successor collective bargaining agreement, for the period July 1, 2009 through June 30, 2011.

Legislative History

2009-0173	6/23/2009 Town Council Committee of the Whole	Recommended for a Resolution	Referral
Authorization for Surveys of Town-Owned Properties Associated with the National Battlefield Protection Grant			

RESOLUTION AUTHORIZING ARCHAEOLOGICAL ACTIVITIES BY THE
MASHANTUCKET PEQUOT MUSEUM AND RESEARCH CENTER.

WHEREAS, the Mashantucket Pequot Museum and Research Center ("Research Center") is the
grantee for a project under the Battlefield Protection Program of the National Park Service, and

WHEREAS, a previous grant identified a number of research areas associated with the Battlefields of
the Pequot War of 1636-1638, and

WHEREAS, the Research Center's project is aimed at identification and documentation of the sites of
the Battle of Mystic Fort, and

WHEREAS, the archaeological research on Town-owned properties will include walkover of sites,
use of metal detectors, and limited archaeological investigation to recover and identify objects
located during a metal detector survey, and

WHEREAS, prior to any archaeological investigations the Town of Groton will be notified by
telephone and letter as to the precise date the investigations will take place, and

WHEREAS, no archaeological investigations in the form of excavations will take place without the
express permission of the Town of Groton, and

WHEREAS, if archaeological excavations are allowed by the Town of Groton, the land shall be
restored to its pre-existing condition, and

WHEREAS, any person entering the properties does so at their own risk, and the Town of Groton
bears no responsibility for injury or loss, and

WHEREAS, the Town of Groton will receive a preliminary report of the findings within one month
of the investigations and will receive a copy of the final report within six months of completion of the
project, and

WHEREAS, the Town Council has been informed that assurances identical to those above are being
offered to private owners of property on which the Research Center wishes to conduct archaeological
investigations, and that such property owners will be invited to be present during any investigations,
now therefore be it

RESOLVED, that the Town Council authorizes the Mashantucket Pequot Museum and Research
Center, its employees, volunteers, and others who are acting under the auspices of the above-noted
project to enter upon Town properties as listed by attachment to this resolution, and to conduct
appropriate archaeological and historical investigations thereon from June 2009 through June 2011.

Legislative History

6/23/2009	Town Council Committee of the Whole	Recommended for a Resolution
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XI. OTHER BUSINESS

XII. ADJOURNMENT